



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/669,990
Applicant : Hector F. DeLuca et al
Filed : September 24, 2003
Title : Use of 2-Methylene-19-
Nor-20(S)-1 α ,25-
Dihydroxyvitamin D₃ to
Increase the Life
Expectancy of Human
Beings
TC/A.U. : 1616
Examiner : Qazi, Sabiha Naim
Docket No. : 1256-00819

CERTIFICATE OF MAILING

) I hereby certify that this correspondence is
) being deposited with the United States
) Postal Service with sufficient postage as
) first class mail in an envelope addressed to:
) Commissioner of Patents, P.O. Box 1450,
) Alexandria, VA 22313-1450, on this 25th
) day of January, 2006.

Dorothy A. Hauser
Dorothy A. Hauser

January 25, 2006
Date

SUBMISSION OF DEFICIENCY OF FEES AND
CORRECTION OF ENTITY STATUS

Mail Stop: Response
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

01/31/2006 SLUANG1 00000008 10669990
01 FC:1001 790.00 OP
02 FC:1202 100.00 OP
03 FC:1251 120.00 OP
04 FC:1253 1020.00 OP
05 FC:1461 605.00 OP

Sir:

It has been determined by Applicant that this case does not qualify for small entity status and requests the correction to large entity status.

Applicant herein submits a check in the amount of \$1,672 to cover the deficiency in payment of large entity fees. Applicant states that the delay in payment of large entity fees is unintentional.

A check is enclosed covering the deficiency in payment of large entity fees which is comprised of \$625 for the filing fee, \$82 for two additional dependent claims, \$60 for a one month extension of time, \$395 for an RCE and \$510 for a three month extension of time. See attached Addendum for a calculation of these fees.

01/31/2006 SLUANG1 00000008 10669990

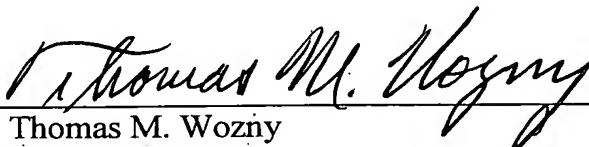
01 FC:1001 790.00 OP
02 FC:1202 100.00 OP
03 FC:1251 120.00 OP

Application No. 10/669,990
Submission of Deficiency of Fees and
Correction of Entity Status Dated January 25, 2006

The Commissioner is hereby authorized to charge any additional fees in connection herewith to Deposit Account No. 01.2000. A duplicate copy hereof is enclosed.

Respectfully submitted,

ANDRUS, SCEALES, STARKE & SAWALL, LLP

By 
Thomas M. Wozny
Reg. No. 28,922

Andrus, Sceales, Starke & Sawall, LLP
100 East Wisconsin Avenue, Suite 1100
Milwaukee, Wisconsin 53202
Telephone: (414) 271-7590
Facsimile: (414) 271-5770

Application No. 10/669,990
Submission of Deficiency of Fees and
Correction of Entity Status Dated January 25, 2006

ADDENDUM

Document Filed	Small Entity Amount Paid	Current Large Entity Amount	Difference
9/24/2003 utility filing fee	\$375	\$1,000	\$625
9/24/2003 2 additional dependent claims @ \$9 2 additional dependent claims currently @ \$50	\$18	\$100	\$82
2/3/2005 one month extension of time	\$60	\$120	\$60
12/9/2005 RCE	\$395	\$790	\$395
three month extension of time	\$510	\$1,020	\$510
TOTAL ADDITIONAL FEES DUE	\$1,358	\$3,030	\$1,672



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. :	10/669,990	)	CERTIFICATE OF MAILING
Applicant :	Hector F. DeLuca et al	)	I hereby certify that this correspondence is
		)	being deposited with the United States
Filed :	September 24, 2003	)	Postal Service with sufficient postage as
Title :	Use of 2-Methylene-19-	)	first class mail in an envelope addressed to:
	Nor-20(S)-1 α ,25-	)	Commissioner of Patents, P.O. Box 1450,
	Dihydroxyvitamin D ₃ to	)	Alexandria, VA 22313-1450, on this 25th
	Increase the Life	)	day of January, 2006.
	Expectancy of Human)	
	Beings)	
TC/A.U. :	1616	)	<i>Dorothy A. Hauser</i> January 25, 2006
Examiner :	Qazi, Sabiha Naim	)	Dorothy A. Hauser Date
)	
Docket No. :	1256-00819)	

SUBMISSION OF DEFICIENCY OF FEES AND
CORRECTION OF ENTITY STATUS

Mail Stop: Response
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It has been determined by Applicant that this case does not qualify for small entity status and requests the correction to large entity status.

Applicant herein submits a check in the amount of \$1,672 to cover the deficiency in payment of large entity fees. Applicant states that the delay in payment of large entity fees is unintentional.

A check is enclosed covering the deficiency in payment of large entity fees which is comprised of \$625 for the filing fee, \$82 for two additional dependent claims, \$60 for a one month extension of time, \$395 for an RCE and \$510 for a three month extension of time. See attached Addendum for a calculation of these fees.

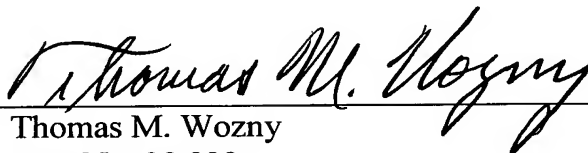
Application No. 10/669,990
Submission of Deficiency of Fees and
Correction of Entity Status Dated January 25, 2006

The Commissioner is hereby authorized to charge any additional fees in connection herewith to Deposit Account No. 01.2000. A duplicate copy hereof is enclosed.

Respectfully submitted,

ANDRUS, SCEALES, STARKE & SAWALL, LLP

By

A handwritten signature in cursive script, reading "Thomas M. Wozny", is written over a horizontal line.

Thomas M. Wozny
Reg. No. 28,922

Andrus, Sceales, Starke & Sawall, LLP
100 East Wisconsin Avenue, Suite 1100
Milwaukee, Wisconsin 53202
Telephone: (414) 271-7590
Facsimile: (414) 271-5770

Application No. 10/669,990
 Submission of Deficiency of Fees and
 Correction of Entity Status Dated January 25, 2006

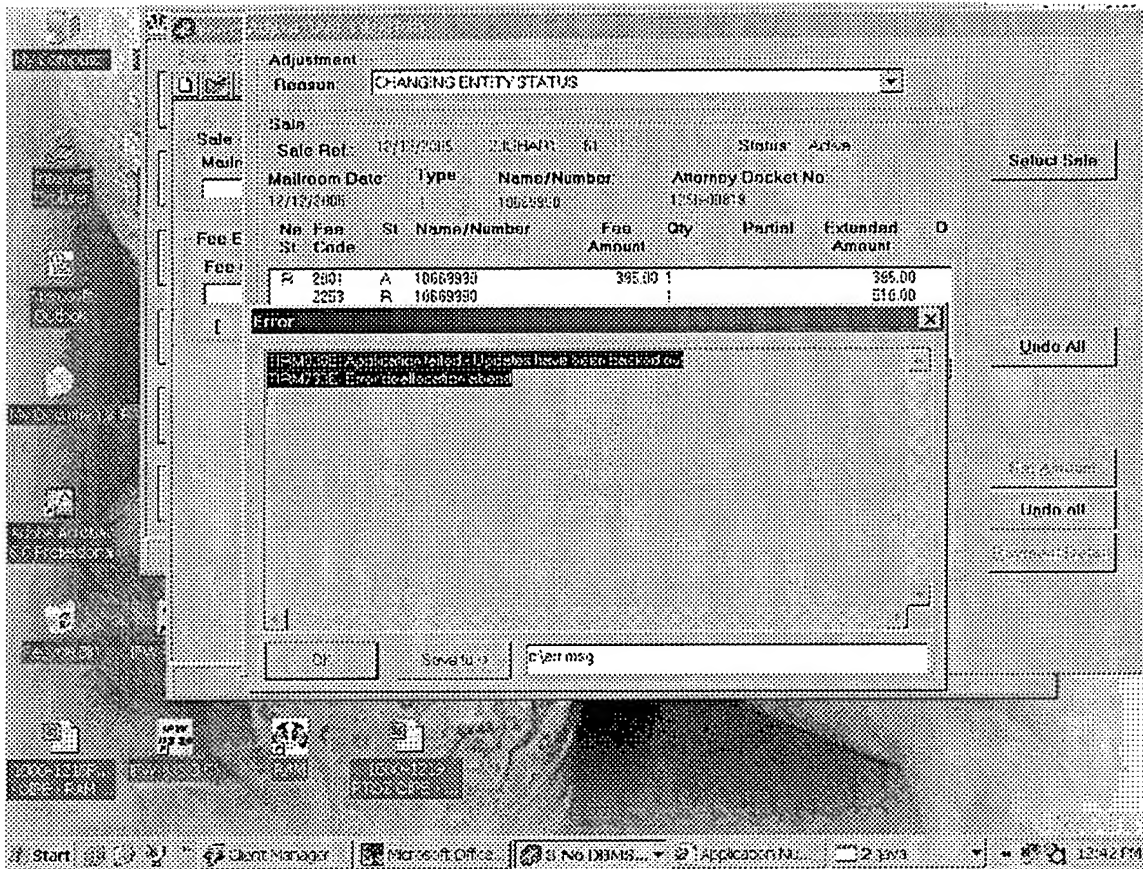
ADDENDUM

Document Filed	Small Entity Amount Paid	Current Large Entity Amount	Difference
9/24/2003 utility filing fee	\$375	\$1,000	\$625
9/24/2003 2 additional dependent claims @ \$9 2 additional dependent claims currently @ \$50	\$18	\$100	\$82
2/3/2005 one month extension of time	\$60	\$120	\$60
12/9/2005 RCE	\$395	\$790	\$395
three month extension of time	\$510	\$1,020	\$510
TOTAL ADDITIONAL FEES DUE	\$1,358	\$3,030	\$1,672

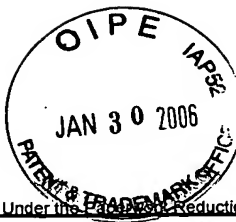
Adjustment date: 01/31/2006 SLUANG1
 10/01/2003 BSAYASI1 00000023 10669990
 01 FC:2001 -375.00 OP
 02 FC:2202 -18.00 OP

Adjustment date: 01/31/2006 SLUANG1
 02/09/2005 MMEKONEN 00000010 10669990
 01 FC:2251 -60.00 OP

Adjustment date: 01/31/2006 SLUANG1
 12/13/2005 ZJUHA1 00000061 10669990
 02 FC:2253 -510.00 OP



Couldn't Void FC 2801
8395



DAC/IFW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

8

Application Number

10/669,990

Filing Date

September 24, 2003

First Named Inventor

Hector F. DeLuca

Art Unit

1616

Examiner Name

Qazi, Sabiha Naim

Attorney Docket Number

1256-00819

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Receipt Postcard; and
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Submission of Deficiency of Fees
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	and Correction of Entity Status
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
<input type="checkbox"/> Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Andrus, Scales, Starke & Sawall, LLP		
Signature			
Printed name	Thomas M. Wozny		
Date	January 25, 2006	Reg. No.	28,922

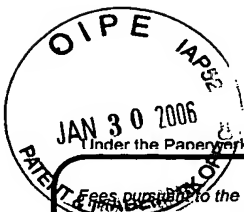
CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Dorothy A. Hauser	Date	January 25, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees currently to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** **\$1,672.00****Complete if Known**

Application Number	10/669,990
Filing Date	September 24, 2003
First Named Inventor	Hector F. DeLuca
Examiner Name	Qazi, Sabiha Naim
Art Unit	1616
Attorney Docket No.	1256-00819

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____
☐ Deposit Account Deposit Account Number: 01.2000 Deposit Account Name: Andrus, Scales, Starke & Sawall, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 20	= 0	x \$0.00	= \$0.00		\$0.00	\$0.00
HP = highest number of total claims paid for, if greater than 20						
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			
- 3	= 0	x \$0.00	= \$0.00			
HP = highest number of independent claims paid for, if greater than 3						

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x		\$0.00

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Submission of Deficiency of Fees**Fees Paid (\$)**
\$1,672.00**SUBMITTED BY**

Signature	<u>Thomas M. Wozny</u>	Registration No. (Attorney/Agent)	28,922	Telephone	414-271-7590
Name (Print/Type)	Thomas M. Wozny	Date	January 25, 2006		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.